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NEW YORK STATE COASTAL ZONE MANAGEMENT PROGRAM

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PUBLIC PARTICIPATION AND PUBLIC INFORMATION

TECHNICAL GUIDELINES - No. 2

October 17, 1975

COASTAL ZONE
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Contents

	<u>Page</u>
I <u>PURPOSE</u> Property of CSC Library	1
II <u>PROGRAM REQUIREMENTS</u>	2
III <u>DEFINITIONS</u>	4
IV <u>METHODS</u>	5
A. Principles	
B. Public Participation	
C. Public Information	
D. Assistance	
V <u>IMPLEMENTATION</u>	16

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New York Coastal Zone Management Program

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I. Purpose

The purpose of these guidelines is to provide direction concerning public participation and public information to all parties having an interest in the development of the New York State coastal zone management program. The importance of contractors in these two activities is derived from their proximity and sensitivity to local planning and environmental issues and their role of assisting in delineating coastal boundaries, in selecting permissible land and water uses in the coastal zone, in designating areas of particular concern and in assisting in establishing priority of uses in particular areas. Each of these major tasks involves local policy decisions that directly affects elements of the public. In order to assure that coastal planning is carried out in a responsive manner which accounts for the opinions of local interests and their technical capabilities, a public information and public participation program is required of each of the regional contractors. The public must be assured a role in the development of regional goals and objectives and in the formulation of each of the major regional work elements. The public information and public participation activities of the regional contractors complement the statewide informational and participatory program of the New York Coastal Management Program.

II. Program Requirements

The direct requirements for public participation are based on the Coastal Zone Management Act of 1972 and the rules and regulations implementing this Act. The Act mentions public participation in Section 303, Declaration of Policy:

The Congress finds and declares ... (d) to encourage the participation of the public, of Federal, state and local governments and of regional agencies in the development of coastal management programs.

In Section 306, concerned with the approval of administrative grants, public participation is referred to again:

(c) Prior to granting approval of a management program submitted by a coastal state, the Secretary shall find that:

(1) The State has developed and adopted a management program for its coastal zone in accordance with rules and regulations promulgated by the Secretary, after notice, and with the opportunity of full participation by relevant Federal agencies, state agencies, local governments, regional organizations, port authorities, and other interested parties, public and private, which is adequate to carry out the purposes of this title and is consistent with the

policy declared in Section 303 of this title.

In addition to public participation the law also refers to a requirement for public hearings before an administrative grant is approved.

The rules and regulations published in the Federal Register implementing the Coastal Zone Management Act elaborate further on public participation as an integral part of preparing a coastal zone management program. The following selected quotes from the Federal Register Vol. 38 No. 229, Subpart D, November 29, 1973 indicate the strong position placed on participatory programs by the federal Office of Coastal Zone Management:

- a. Through citizen involvement in the development of a management program, needs and aspirations can be reflected in use decisions for the coastal zone, and public support for the management program can be generated.
- b. The Secretary (of Commerce) will not approve any plan unless there has been a full and effective opportunity for public involvement in every portion of the plan.
- c. To insure that the public is heard during the development of the program, efforts should be made to encourage discussion in various forums of the subject matter of the hearing and to take other steps to insure that the public can participate in the process in a meaningful manner.

- d. Establish arrangements for exchanging information, data, and reports, among State and local government agencies, citizen groups, special interest groups and the public at large, throughout the development and administration of the coastal zone program.
- e. The following are examples of some of the components that may be used in the participation process:
 - (1) Citizen involvement in the development of goals and objectives.
 - (2) Citizen appointment by the agency to a Citizen Advisory Committee.
 - (3) Establishment of processes to review component elements of the management program by selected citizen groups and the general public.

II. Definitions

The following definitions will clarify the key terms used in these guidelines:

- a. Public. This includes individuals, organizations, local governments, and special districts which are interested in or affected by a coastal management program.
- b. Public Participation. This is an activity which encourages and provides opportunities for the public to enter into the process of developing and managing a coastal management program.

- c. Public Information. Public information is disseminated information, that will help in developing an awareness, an interest, and a greater knowledge of the coastal zone and its management by the public at large and especially by those publics that are directly affected by a coastal management program.
- d. Public Meetings. Public meetings are a means of disseminating information to the public at large and a means of obtaining public reaction to coastal issues and coastal zone management program progress and recommendations.
- e. Public Hearings. Public hearings are a formal program requirement held to present parts of or the entire management program to the public in order to inform the public and to obtain their reaction before submitting the program for approval to the Secretary of Commerce.

IV. Methods

A. Principles.

Public participation is based on the concept that the development of a coastal zone management program involves many decisions that directly affect people's lands, community resources, neighborhood facilities, even the potential viability of coastal communities as well as regional and state resources. Consequently, it is imperative that the public become involved in the process of developing a coastal zone management program. It is necessary that the development of a program be accomplished with the input of the public so

that it is clear that it is being developed "with" the public and not "for" the public. This can only be accomplished if an air of mutual trust and communication is established early and continues through the life of the program.

Involving the public in a meaningful manner is predicated on assuring the public that their views are needed, valued, and incorporated in the formulation of the management program. A meaningful participation program therefore involves sharing the planning, the evaluation and findings of program staff with the public which acts in an advisory capacity. Carrying out these tasks effectively entails the establishment of a public participation and public information program in each regional, county, and city program to disseminate information, to help the public shape their response, and to see that the public views are considered for incorporation into the management program. This also requires a commitment to take the proposed management program to the people such as, (1) rotating the site and if appropriate the time of regular advisory council meetings and inviting the public to attend, (2) holding workshops and public meetings in different communities, and (3) making public information presentations before interested and potentially interested groups using a variety of techniques and media.

There are three elements of public activities, (1) public information, (2) public participation and (3) public hearings. None of these are mutually exclusive and in fact blend into and support

each other. Ideally, public information activities should be established before participation begins since the latter is predicated on the work of informed persons. Each, however, has its particular focus. Information is directed primarily at the broad public. Participation includes the activity of representations of the public who through interest and special capabilities can lend direct assistance to the development of the program. Hearings are a means of assuring that the opinions of an informed public has an opportunity to influence the program before it is submitted for final approval to the Secretary of Commerce. There is no assurance that public participation will proceed without controversy but without a genuine effort to accommodate the multiplicity of public points of view there can be little assurance that a coastal zone management program will be approved.

B. Public Participation.

There are four categories of public participation listed below. This is not meant to limit public participation to these techniques, others may be devised and contractors are encouraged to innovate whenever and however it seems appropriate. Each of the methods: advisory committees, workshops, public meetings and hearings, and questionnaires is a means of disseminating information and obtaining feedback.

1. Advisory Committees. Advisory committees are committees representative of the public, technical committees are

comprised of persons with unique qualifications and ad hoc committees are organized for a particular or limited purpose. Each contractor is required to have an advisory committee but may, in addition, find it appropriate to establish technical and ad hoc committees. The functions of the committees are, for example, to:

- a. identify issues and problems
- b. assist in establishing goals and objectives
- c. assist in and react to the plan formulation process
- d. review planning recommendations
- e. convey attitudes, concerns, criticisms and recommendations of the public to the staff
- f. assist in the formulation of the means of eliciting greater public inputs to the planning process through workshops, questionnaires and public information activities, and
- g. participate directly in the above public oriented activities.

All meetings need to be carefully planned and prepared.

Background information and an agenda should be distributed before each meeting as well as an indication of what is expected to be accomplished. Staff participation should not dominate meetings.

Contractors may wish to consider using existing public participation committees such as those for 701 comprehensive planning, land use, water resources or coastal erosion for the coastal zone advisory committee. This is considered appropriate if the dual function committee is adequately weighted to include a range of representatives of coastal interest.

2. Workshops. Workshops may be convened to review problems that require considerable time to digest materials and make program recommendations. They may also be convened locally to bring together the diverse interests of a community. Because of the greater time available for participation on a particular problem workshops can be creative opportunities where considered public input can be developed for inclusion in the management program. This requires well organized staff support to assure that the objective is clear, that needed materials are distributed, that the time of participants is used productively, and that the workshop remains focused on the desired purpose. The means by which workshop results will contribute to the management program must be clear to both the staff and the participants. Workshop results will be distributed to advisory committees and the staff for review, evaluation and integration into the program.

3. Public Meetings and Hearings. Public meetings and hearings are primarily modes of information dissemination involving the public at large. The feedback to the program is largely reactive to the agenda items presented. Nevertheless, they are important because they:

- a. give citizens an opportunity to voice opinions and ideas
- b. provide a measure of the effectiveness of the public involvement programs
- c. provide another opportunity to formulate a more responsive management program.

Staff members and advisory committee members should participate in public meetings and hearings. The format should be varied and informative. Meetings should be held periodically in different parts of the planning area. Notice of meetings should be widely disseminated with agenda information. It is usually quite costly to distribute widely complete reports to be reviewed at meetings but it is possible to have copies made available at selected and announced locations such as local planning offices and libraries where they can be reviewed by the public.

Nevertheless, agendas, summary data sheets of reports and actions to be reviewed, should be available at meetings for all attendees.

Since awareness of the coastal zone is a primary educational objective of public participation, public meetings should be focused on themes that have public appeal such as recreation, swimming, boating, fishing, off-shore petroleum operations, power plant siting, erosion control, and public access.

Public hearings are a formal requirement of the Coastal Zone Management Act of 1972. The Secretary of Commerce will not approve a management plan unless "a full and effective opportunity for public involvement in every portion of the plan" is satisfactorily demonstrated. Because of the size of New York State and its geographic diversity it is the responsibility of regional contractors to hold hearings in their area when they are nearing completion of major work elements such as the setting of boundaries, establishing permissible uses, designating areas of particular concern, and establishing priority of uses. This will enable public suggestions and concerns to be incorporated into these program elements before they are completed. Public hearings on the entire statewide program will be held in each of the regions but will be the joint responsibility of the Division of State Planning and the respective regional contractors.

The rules and regulations for the Coastal Zone Management Act of 1972 has specific requirements for public hearings;

- a. Notice of hearings must be made no less than thirty days before they are held. Notice is to include publicity in the press and other media.
 - b. Documents pertinent to the hearing and the agenda of the meeting are to be made available before the meeting.
 - c. Hearings on particular topics may have to be held in more than one location such as areas that are particularly affected.
 - d. Since the coastal zone management program affects the entire state, the site of hearings need not be restricted to coastal communities.
 - e. The timing of hearings should coincide with the seasonal influx of coastal populations so that attendance can be representative of all coastal interests.
 - f. A comprehensive summary of the hearings will be prepared and made available to the public within 30 days and forwarded with the management program when it is sent to the Secretary of Commerce.
4. Questionnaires. Questionnaire surveys can be effective in sensing attitudes, priorities, issues and perceptions. This technique must be carefully developed to obtain the desired

information. Questionnaires must also be given in a manner that adequately samples individual groups or the public at large to assure that the results are representative. Administering and processing questionnaires can be expensive. The cost involved may, however, be reduced through the assistance of citizen volunteers who with little training can conduct the survey and process the raw data into tabular form.

Questionnaires can be given at: (1) public meetings and workshops sponsored by the contractor, (2) meetings at which a coastal management presentation is being made, (3) fairs and conventions where a coastal zone management exhibit is on display and (4) to a sample of households.

5. Working with Public Participants. Care is essential in the selection of advisory technical and ad hoc committee members and in the structuring and support of their work. Selection of members should be based on: (1) sufficient personal interest to spend considerable time on assignments, (2) background and technical training that can contribute to problem solving, and (3) their representativeness of the concerned publics. This may include local legislators and local officials, representatives of citizen groups, persons with technical capabilities, business leaders, and representatives of coastal industries. The anticipated function of the committee should

determine their composition and may require specific competencies. The purpose, parent organization, source of staff support and their powers and duties must be made clear at the outset of committee formation.

c. Public Information.

The purpose of public information activities is: (1) to develop an awareness of the coastal zone, (2) to clarify coastal issues, (3) to explain the development of the coastal zone management program, (4) to explain the benefits of a coastal zone management program and (5) to permit individuals to make knowledgeable input into the coastal zone management program. The various public information activities include but may not be limited to the following:

- a. Audio visual materials such as film strips, films and slides.
- b. TV and radio appearances and presentations.
- c. Public exhibits at shopping centers, fairs, and meetings.
- d. Speakers bureaus comprised of staff, advisory committee, and other interested and capable persons.
- e. Newspaper notices of meetings and feature articles.
- f. Brochures and fact sheets.

It is important that the staff and advisory committee members be willing to seek out opportunities for placing coastal zone management before the public. Community organizations should be sought out for presentations, media opportunities need to be cultivated and provided with material, and possibilities for public displays should be actively sought.

D. Assistance.

There are several important sources of assistance available to the contractors that can greatly improve the effectiveness of public participation activities. An important source is the Advisory Service of the New York Sea Grant Institute. This organization, a consortium of SUNY and Cornell, is patterned on the concept of agricultural extension. It is directed to the dissemination of information and assistance for use by the public and coastal interests to help them understand and make better use of coastal resources. The Advisory Service is continually working with public groups and therefore has detailed knowledge of coastal issues, coastal industries, community leaders interested in coastal affairs and an abundance of printed, audio visual and TV materials that can be made available. Coastal zone management is a prime interest of the Advisory Service and staff members can be called upon to assist in public participation activities. The Advisory Service can be helpful in connection with technical and ad hoc committees. They can be most effectively used in generating an awareness of coastal zone management issues and programs and in gaining input from special interest groups such as marine operators, marine contractors, commercial fishermen, and other special interest groups but should not be expected to take an advocacy position. Requests to Sea Grant for assistance may be made to:

Sea Grant Advisory Service
Fernow Hall
Cornell University
Ithaca, New York 14850
(607) 256-2162

Other sources of assistance are members of colleges and universities interested in marine and coastal topics and planning. This includes the many coastal research personnel supported by the Sea Grant Institute. Interested citizens also can be used as well as students in high schools and in colleges and universities. An example of a community resource that may provide help is the League of Women Voters. They are presently interested in land use planning. The national organization has informative materials on coastal management and local chapters may already be engaged in a coastal management study program and may be interested in assisting in public participation and information activities.

V. Implementation

Public participation and public information activities are critical elements of a coastal zone management program and require careful planning, staffing, funding and coordination. These activities are required during both the developmental (305) phase and the management (306) phase of coastal programs. Each contractor has the responsibility for implementing participatory and informational activities. Public information activities, however, may be coordinated or combined where, for instance, a contracting agency is within the area of a regional contractor.

Information activities should be planned to provide support to participatory activities so that the public will be informed and

have adequate time to prepare their response so that it can be included in the formulation of program work elements and program recommendations. This means that participatory and information activities must be programmed in a manner complementary to the overall development of the program. Advisory committees should meet regularly, preferably meet monthly. Later, after the committees have a sufficient background and grasp of the work in progress, meetings may be less frequent. Public meetings should be held quarterly and at different sites depending on the topic of the meeting and the need to disseminate information to various geographic areas of the coastal zone.

The work entailed in participatory and information activities is sufficiently time consuming and complex to require the permanent assignment of staff to this particular area of responsibility. This should be a continuing assignment to assure continuity of rapport with participants, sources of assistance and representatives of the media. Consideration should be given to employing staff with experience in working with the public and the media. Funding for these activities must indicate not only the direct staff costs but also support for informational materials, advisory committees, workshop expenses, and travel. Participatory activities will also require coordination between contractors and the Department of State. Contractors adjacent to each other and having similar coastal issues and relying on similar media are

encouraged to cooperate on participatory programs such as workshops and meetings. It may also be convenient to jointly prepare public information materials for direct distribution and for submission to newspapers and TV and radio stations. The Division of State Planning should be informed of public participation and information program plans and progress to assure coordination with statewide issues, program developments, and statewide participatory activities.